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| APPLICATION NO.  | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|--|-------------|----------------------|---------------------|------------------|
| 10/780,129   | 02/18/2004  | Neal R. Verfueth     | RE-1-03             | 2269             |
| 22496  | 7590        | 06/30/2005           | EXAMINER            |                  |
| ROBERT T JOHNSON<br>603 COLLINS STREET<br>PLYMOUTH, WI 53073 |             |                      | LEE, Y MY QUACH     |                  |
|  |             |                      | ART UNIT            | PAPER NUMBER     |
|  |             |                      | 2875                |                  |
| DATE MAILED: 06/30/2005                                      |             |                      |                     |                  |

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

10/780,129

Applicant(s)

VERFUERTH, NEAL R.

Examiner

Y Quach Lee

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 2 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 18 February 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☒ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-6 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☐ Claim(s) \_\_\_\_\_ is/are rejected.
- 7) ☒ Claim(s) 1-6 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 18 February 2004 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date 2/18/04.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date: \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

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***DETAILED ACTION******Drawings***

1. The drawing figure 12 is objected to because the reference numerals "7" and "27" are incorrectly located. Reference numeral "7" should be changed to --27-- while reference numeral "27" should be changed to --7-- because reference numeral "27", as shown in drawing figures 2 to 6, is referring to the slot, and reference numeral "7", as shown in drawing figures 2 to 6, is referring to the side wall.

Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

***Specification***

2. The disclosure is objected to because of the following informalities: Page 3, last line, "light reflector" is inaccurate and should be changed to --formed plastic backing--. Page 4, line 2, the description of reference numeral "13", "light reflector" is inaccurate and should be changed to --formed plastic backing--. Page 5, line 11, the description of reference numerals "7" and "7'", "Slots in side walls of plastic backing.." is incorrect and should be changed to --Side walls of plastic backing.". Page 6, line 11, the description of reference numeral "27" and "27'", "Side walls of formed plastic backing" is incorrect and should be changed to --Slots in side walls of formed plastic backing--. Page 8, line 3, reference numerals "27" and "27'" are incorrect and should be changed to --7-- and --7'--. Note drawing figures 2 to 6. Page 8, line 5, reference numerals "7" and "7'" are inaccurate and should be changed to --27-- and --27'--. Note drawing figures 2 to 6. Page 8, paragraph 0007, lines 1 to 2, the reference numerals "23" and "23'" are incorrect and should be changed to --27-- and --27'--. Note drawing figures 2 to 6. Page 9, paragraph 0012, line 2, there are two "." at the end of the sentence, one of them should

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be deleted. Page 9, paragraph 0014, line 1, the term “12and” is improper and should be changed to --12 and--. Page 9, paragraph 0014, lines 2 and 3 to 4, the reference numerals “7” and “7” are incorrect and should be changed to --27-- and --27’--. Page 9, paragraph 0014, line 2, the reference numeral “27” and “27’”, first occurrence, are incorrect and should be changed to --7-- and --7’--. Note drawing figures 2 to 6. Page 9, paragraph 0014, line 2, the term “vertical sidewalls”, second occurrence, is improper and should be changed to --slots--. Page 9, paragraph 0014, lines 3 to 4, the reference numeral “27” and “27’” are incorrect and should be changed to --7-- and --7’--. Appropriate correction is required.

### *Claim Objections*

3. Claims 1 to 6 are objected to because of the following informalities: In claim 1, after line 1 and before line 2, the language "a subassembly having" should be inserted and part (h), the language "the above assembly identified as a sub-assembly" should be deleted; part (d), at the end of the sentence, the expression "." should be changed to --,--; and part (l), "channel,," is incorrect and should be corrected. In claim 2, part (a), before “an inverted double ...”, --said light reflecting having-- should be inserted to properly describe the claimed invention; part (a), "contour of said fluorescent light reflector" should be changed to --contour trough,--; part (b), "contour of said light fluorescent light reflector" should be changed to --contour trough of said light reflector,-- to provide a proper antecedent basis. Note the term “trough” in part (c) and (d). In claim 5, part (a), “a live plastic hinge” should be changed to --said live plastic hinge--. Claims 3, 4 and 6 depend on objected claim 1 and as such are also objected. Appropriate correction is required.

4. Claims 1 to 6 would be allowable if rewritten or amended to overcome the objection(s) set forth in this Office action.

Claim 1 contains allowable subject matter because the prior art whether individual or in combination does not teach the combination of a ballast mounted and held in position by friction fit between side walls of a channel on the formed plastic backing, the sub assembly attached to a ceiling mount channel by means of slots in side walls of the plastic backing, the slots in the side walls of the plastic backing fitting over downward extending edges of the ceiling mount channel, each of the two live plastic hinges connected to a side wall of the plastic backing, screw fasteners

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extending through the side walls of the formed plastic backing and the downward extending edges of the ceiling mount channel, and other features as claimed in claim 1. Claims 2 to 6 further limit claim 1 and as such are also contain allowable subjected matter.

5. This application is in condition for allowance except for the above formal matters.

Prosecution on the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

A shortened statutory period for reply to this action is set to expire **TWO MONTHS** from the mailing date of this letter.

*Conclusion*

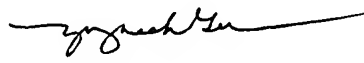
6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Taylor is cited to show a light reflector 18 intimately attached to a formed plastic backing 24 and having the same contour shape as the plastic backing. Cohn is cited to show a light reflector 26 intimately attached to a second flexible strip 24. Wince is cited to show a light reflector 20 having the same contour shape as a backing 21 with the edge of the reflector fitting in a slot in outer edge of the backing.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Y Quach Lee whose telephone number is 571-272-2373. The examiner can normally be reached on Tuesday and Thursday from 8:30 am to 4:30 pm.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Customer Service whose telephone number is 571-272-2815.

Y. Q.  
June 21, 2005

  
Y Quach Lee  
Patent Examiner  
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